

# FAX

**MURINDIA WILLIAMS  
CHANCERY and CIRCUIT CLERK  
SHARKEY COUNTY**

120 Locust Street

P.O. Box 218

Rolling Fork, MS 39159

Tel: (662) 873-2755

Fax: (662) 873-6045

**Name:**

**Attention:** Jimmy Wilkins

**Fax:** 601-965-1901

**From:** Diana

**Date:** 3/18/10

**Pages:** 5 including cover page

**Comments:**

EXHIBIT

"A"

IN THE CIRCUIT COURT OF SHARKEY COUNTY, MISSISSIPPI

QUINTARUS BROWN

PLAINTIFF

VS.

CIVIL ACTION NO. 10-005

FIRESTONE COMPLETE AUTO CARE  
A/K/A BRIDGESTONE RETAIL OPERATIONS, LLC

DEFENDANT

COMPLAINT

COMES NOW the plaintiff, Quintarus Brown, and for his claim against the defendant, Firestone Complete Auto Care a/k/a Bridgestone Retail Operations, LLC (hereinafter Bridgestone) would show the following:

-1-

Plaintiff Quintarus Brown is an adult resident citizen of Greenville, Washington County, Mississippi.

-2-

Defendant Bridgestone Retail Operations, LLC is a foreign limited liability company authorized to and doing business in the State of Mississippi with its registered agent for service of process being NRAI Agents, Inc., 2710 Old Brandon Road, Pearl, Mississippi 39208. By having committed a tort in whole or in part in this State, said defendant is subject to service of process under the Mississippi Long Arm statute.

-3-

On March 10, 2007, a vehicle owned and operated by Bryan Brown was brought to the North Davis Parkway, Pensacola, Florida Firestone Complete Auto Care Center, owned and operated by Bridgestone Retail Operations, LLC to correct a rough ride and/or instability of the vehicle on the road.

**FILED**

JAN 19 2010

MURINDIA WILLIAMS, CLERK  
BY *[Signature]* D.C.

-4-

An inspection of the tires and wheels was performed by defendant Bridgestone, which inspection revealed hazardous conditions with respect to the four wheels of the vehicle, including but not limited to the right rear wheel and tire. Bridgestone noted that the tire was out of round and that the rim was "bent and has a 6 inch bead weld on it."

-5-

Despite the severe hazard presented by the bent, welded wheel rim with an out of round tire and despite knowing that the vehicle was to be driven to the State of Mississippi that day, Bridgestone recommended only the sale of a new single tire without recommending, or insisting as a condition for performing work on the vehicle, a replacement or repair of the bent, welded rim and wheel.

-6-

Contrary to its duty to the purchaser as well as to the purchaser's passengers and others who might be sharing the roadway with the serviced automobile, Bridgestone negligently facilitated the operation of the vehicle in a hazardous condition by failing to repair the wheel. Rather, Bridgestone balanced the four tires to the vehicle, even though this was a woefully inadequate response to the hazardous condition presented by the vehicle on the day of the accident, and erroneously and negligently advised the owner of the vehicle as well as its passengers that the balancing job performed by Defendant Bridgestone would be sufficient for the vehicle to safely make it to the destination in Mississippi. Defendant, further negligently failed to warn plaintiff as well as the driver, Bryan Brown, and other passenger Marie Coleman, of the danger of operating the vehicle once defendant finished servicing the vehicle.

-7-

The right rear tire and/or wheel was negligently installed and inadequately secured by Defendant, Bridgestone, and/or had preexisting defects and dangerous conditions which were not addressed, corrected or disclosed, contrary to Defendant Bridgestone's duty to do so.

-8-

Later on that same day of March 10, 2007 at approximately 6:40 p.m. Bryan Brown was traveling in a westerly direction on Mississippi Highway 14 in Sharkey County, Mississippi. Plaintiff, Quintarus Brown as well as Marie Coleman were passengers in said vehicle. Suddenly and without warning, the right rear tire (negligently installed, inspected or represented to be safe by defendant) started to wobble, causing Bryan Brown to lose control of the vehicle and ultimately causing it to go down an embankment where the vehicle flipped and overturned seriously injuring the plaintiff, Quintarus Brown as well as Marie Coleman.

-9-


As a result of the negligence of the defendant aforementioned, plaintiff has sustained grievous and permanent injuries, including but not limited to several ruptured discs in his neck. He has and will suffer pain and suffering, emotional distress, grief, anguish, inconvenience, loss of the enjoyment of life, loss of wage earning capacity for the remainder of his life. In the event recklessness, willfulness or wantonness of the defendant is established, plaintiff also would seek punitive damages and attorney's fees.

-10-

In addition to the aforementioned general damages, plaintiff, Quintarus Brown, has sustained and will sustain in the future medical expenses, rehabilitation costs and out of pocket medical expenses.

WHEREFORE, Quintarus Brown demands a trial by jury demands a judgement over and against the defendant, Bridgestone, in a sum in excess of the minimum jurisdictional amount of this court.

Respectfully submitted, this the 14<sup>th</sup> day of January 2010.

  
RABUN JONES

OF COUNSEL:

DYER, DYER, JONES & DANIELS  
Post Office Box 560  
Greenville, MS 38702-0560  
(662) 378-2626